

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOSE HERNANDEZ,)	No. C 11-01178 JF (PR)
)	
Petitioner,)	ORDER OF TRANSFER
)	
vs.)	
)	
RICK HILL, Warden,)	
)	
Respondent.)	

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d). However, Federal courts in California traditionally have chosen to hear petitions challenging a conviction or sentence in the district of conviction. See Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993); Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968). The petition indicates that Petitioner was convicted in Kern County, (Pet. at 2), which lies within the venue of the Eastern District of California. See 28 U.S.C. 84(b).

Order of Transfer
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1 States District Court for the Eastern District of California. See 28 U.S.C. §§
2 1404(a), 2241(d); Habeas L.R. 2254-3.

3 The Clerk shall terminate all pending motions and transfer the entire file to
4 the Eastern District of California.

5 IT IS SO ORDERED.

6 DATED: 5/2/11

7 
JEREMY FOGEL
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JOSE HERNANDEZ,

Petitioner,

v.

RICK HILL, Warden,

Respondent.

Case Number: CV11-01178 JF

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 5/11/11, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jose Hernandez G-59636
Folsom State Prison
P.O. Box 715071
I-C5-17
Represa, CA 95671-5071

Dated: 5/11/11

Richard W. Wieking, Clerk